

A Publication of the BARBERING AND COSMETOLOGY EXAMINING BOARD

Volume 9, No. ■

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Governor Thompson Appoints New Board Members

Bruce Bennett, Madison, is a private school owner of Scientific College of Cosmetology. Mr. Bennett brings a wealth of knowledge about the operation of private schools. He was appointed by the Honorable Tommy G. Thompson to serve a four term beginning immediately.

Lorraine A. Norem, Elkhorn has been appointed to the Board after serving eight years on the Board of Nursing as a registered nurse member. Ms. Norem brings to the Board a wealth of knowledge of being a board member and the desire to be a public board member.

Marvin L. Rushing, Milwaukee resigned from the Board after over eight years of service as its private school representative. Mr. Rushing has been

THE WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD

Members of the Board

John Fahey, Chair (Madison)

Danny E. Trotter, Vice Chair (Edgerton)

Yvonne J. Davis, Secretary (Milwaukee)

Barbara Flaherty (Windsor)

Joyce Haugestuen (Dallas)

Leon Lauer (Green Bay)

Marvile Martin (Milwaukee)

Dr. Toni A. Palermo (Madison)

Bruce Bennett (Madison)

Administrative Staff:

Alfred J. Hall, Jr., Bureau Director

Executive Staff:

Marlene A. Cummings, Secretary June Suhling, Deputy Secretary Myra Shelton, Executive Assistant a valuable member of the Board and will be missed by the rest of the members.

Tax Delinquency: A New Basis for Denial, Suspension and Revocation

Since 1996, the law has required the Department of Regulation and Licensing to verify that applicants for credential renewal are not delinquent in payment of Wisconsin state taxes. The Department is required to deny renewal if the Department of Revenue certifies that an applicant **is** tax delinquent.

Effective January 1, 1999, the scope of the law will expand to include applicants for new licenses and current credential holders. After January 1, 1999, the Department of Regulation and Licensing is required to deny the applications for an initial credential if the applicant is certified by the Department of Revenue as being liable for delinquent state taxes. The Department will also be required to revoke the credential of current holders who are tax delinquent.

A person denied or revoked because of a tax delinquency status may request the Department of Revenue to review the certificate of tax delinquency at a hearing.

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Law Sanctions Professionals With Delinquent Support and Department Collects Social Security Numbers-1997 Act 191

In April 1998, legislation was enacted which provides for suspension of credentials for failure to pay support or for failure to comply with a subpoena or warrant related to paternity or support proceedings. The determination of failure to pay support or failure to comply with a warrant or subpoena will be made by county support agencies or the Department of Workforce Development.

The new family support collection act requires the Department of Regulation and Licensing to collect social security numbers from all individuals who apply for new credentials Applications from individuals who do not submit their social security number will be denied. The social security numbers collected may be disclosed only to the Department of Workforce Development for the purpose of enforcing the Family Support Collection Act, or to the Department of Revenue for the purpose of checking for tax delinquencies. 1997 Wisconsin Act 191 is available in most public libraries and can be viewed on the Internet at http://www.legis.state.wi.us/billtext/acts/97acts.html.

Administrative Warnings May be Issued Under New Law-1997 Wisconsin Act 139

The Examining Boards are authorized to issue administrative warnings under **a** new law effective May 5, **1998.** An administrative warning may be issued to close an investigation if the Board determines that no further action is warranted because the complaint involves a first occurrence of a minor violation and the warning adequately protects the public.

Under the law, **1997** WI Act **139**, an administrative warning puts the professional on notice that if the misconduct is repeated, the incident that was the basis for the warning can be used to prove that the person warned knew the conduct was prohibited. A warning is not discipline and may be issued without a formal complaint or a hearing.

A credential holder may have a warning reviewed before the department or board that issued the warning.

1997 WI Act 139 is available from the department and can be viewed on the Internet at http://www.legis.state.wi.us/billtext/acts/97acts.html.

Administrative Rules Committee

The Administrative Rules Committee has spent six months reviewing the language of prevailing administrative codes. As a result of this review, the Board is proposing changes to existing administrative rules which will clarify statutory authority, eliminate duplicate language and otherwise make the rule language clearer and cleaner. In addition, the Board decided to amend or repeal existing certain administrative rules based on recommendations from the Apprenticeship Advisory Committee. These changes are aimed at facilitating implementation of this new program and clarifying roles and responsibilities.

The Board further intends to amend the existing administrative rule requiring that persons seeking licensure must pass each and every portion of the five-part practical examination, including the written examination. The Board will pursue a scoring strategy which will average all scores (on both practical and written) for a "single score".

Practice Issues

The Board has made the determination that waterless hand cleaners are prohibited because waterless hand cleaners are not an adequate means to wash hands thoroughly, prior to disinfection. Disinfection is nullified if organic material is present on the surface of items to be disinfected.

Pump containers should be used until completely empty, rinsed with water and dried before refilling. "Topping off' is not recommended, as it provides possibility of spreading germs.

Apprenticeship Advisory Committee

The committee has developed the following recommendations:

- * Develop a single application form.
- * Organize local committees to monitor program progress.
- * Monitor apprentice attendance in program.
- * Involve all major players in development and execution of indenture contract.
- * Pre-approval of all salons qualified to accept apprentices.
- * Provide authority to the board to identify and select participating salons.
- * Develop standardized training manual to be used by all approved salons.

The committee also stressed the importance of involving apprentices in all aspects of barbering and cosmetology services in order to provide a broad foundation of training and experience before the apprentice selects his/her area of specialization.

The committee also said that the burden of complying with any investigation or prosecution of complaints will be the responsibility of the manager and establishment owner of the salon and not on the apprentice. It was also decided that the initial apprentice application will be submitted to the Bureau of Apprenticeship Standards in the DWD, which will be responsible for issuing the permit and setting the contract start date.

Apprenticeship Program

In addition, the board also:

- * Revised the "Establishment Equipment and Supplies to be Provided for Training Apprentices" form to correct the improper use of the phrase "sterilization and disinfectant."
- * Approved procedures for how an apprenticeship permit extension is requested and what information the salon manager and apprentice have to provide, including reasons why the extension is necessary or desirable, total number of completed theory and practical hours and the additional amount of time needed to complete the apprenticeship program.
- * Increased the apprenticeship permit time period from two to three years to allow apprentices more time to complete theoretical hours.

ALERT ALERT ALERT Renewal of licenses for Barber or Cosmetology. Licenses for Aesthetician, Aesthetics Establishment, Aesthetics Instructor, Aesthetics School, Aesthetics Specialty School, Barber or Cosmetologist, Barbering Cosmetologist Establishment, or Barbering or Cosmetology Instructor, Barbering or Cosmetology Manager, Barbering or Cosmetology School, Electrologist, Electrology Establishment, Electrology Instructor, Electrology School. Electrology Specialty School, Manicuring Establishment, Manicuring School, Manicuring Specialty School, Manicurist must be renewed by June **30.** 1999. Look for renewal notices in the mail 6 weeks before. Update your name or address changes by May 1, 1999.

Disciplines

GWENDOLYN M. TANNER d/b/a NAIL NETWORK

MILWAUKEE WI SUSPEND 10 DAYS Provided false information to the board in her application for a manicuring establishment license. Failed to comply with an

order to correct, and falsely stated that she had complied with the order. Effective 12/12/98. Pay a \$200 forfeiture and costs. Sec. 454.15(2)(a), Stats. BC 3.05(3) Case #LS9810221BAC

STEPHANIE RODGERS, MANICURIST

d/b/a NAIL NETWORK

MILWAUKEE WI \$200.00 FORFEITURE Provided manicuring services when not currently licensed and operated the establishment when not currently licensed. Effective 10/5/98. Secs. 454.04(1)(d) and 454.15(2)(i), Stats. BC 2.04(1) and 2.06(1). Case #LS98100513BAC

LOLITA ALLEN, OWNER

d/b/a NAIL NETWORK

MILWAUKEE WI \$100.00 FORFEITURE Establishment did not disinfect reusable manicure instruments prior to use. Effective 10/5/98. Sec. 454.15(2)(i), Stats. BC

4.10 Case #LS98 10051BAC

LIEN BICH PHAM, MANICURIST

WEST ALLIS WI

\$100.00 FORFEITURE

Employed at an establishment to provide manicuring services to the public without holding a valid and current license. Effective 8/3/98. Sec. 454.04(1)(d), Stats. Case # LS98080312BAC

ORPHEUS HUSTON, OWNER

D/B/A FACE TO FACE BARBER SHOP

MILWAUKEE WI \$1,200.00 FORFEITURE Operated an unlicensed establishment. Employed individuals who did not hold current and valid apprentice permits. Effective 8/3/98. Sec. 454.15(2)(i), Stats. BC 2.04 and 2.06. Case # LS9808038BAC

DANNY R. DONALDSON

MILWAUKEE WI

ADMIN. INJUNCTION

Engaged in the practice of barbering and cosmetology without a license. He is enjoined from continuing to practice. Effective 9/1/98. Sec. 454.04(2), Stats. Case # LS9807161RAL

CHARLES F. KOMPAS, MANAGER

D/B/A FRINGES HAIR DESIGN

GLENDALE WI

\$100.00 FORFEITURE

Provided barbering and cosmetology services without a valid and current license. Effective 8/3/98. Sec. 454.15(2)(i), Stats. BC 2.04. Case # LS9808039BAC

JAMES AND PATTI JO NEUMANN, OWNERS

D/B/A SAVANNA'S TANNING AND HAIR DESIGN

WAUWATOSA WI \$1,000.00 FORFEITURE Individuals rented chairs from the salon without holding establishment licenses. Effective 8/3/98. Sec. 454.15, Stats. BC 2.04 and 2.06 Case # LS98080310BAC

HONG NGOC THI PHAM

d/b/a FANCY NAILS

KENOSHA WI \$300.00 FORFEITURE Individuals provided manicuring services without valid and current permits. Effective 12/7/98. Sec. 454.15(2)(i), Stats. BC 2.04(1) Case #LS9812076BAC

CAROLANNE M. SCHMITZ, MANAGER

D/B/A VISIONZ HAIR DESIGN

WEST ALLIS WI \$100.00 FORFEITURE Operated unlicensed establishment. Effective 8/3/98. Secs. 454.08(1)(b) and 454.15(2)(i), Stats. BC 2.04, 2.07(2)(b) and 3.01(1). Case # LS9808031BAC

JUDY A. EDWARDS, MANAGER/OWNER

D/B/A JUDY'S TRENDS N MOTION

MILWAUKEE WI \$100.00 FORFEITURE Operated unlicensed establishment. Effective 8/3/98. Secs. 454.08(1)(b) and 454.15(2)(i), Stats. BC 2.04, 3.01 and 3.03(5). Case # LS9808035BAC.

GAULIEN L. SMITH, MANAGER

d/b/a GEE'S CLIPPERS

MILWAUKEE WI \$500.00.00 FORFEITURE Employed an individual who did not hold a current license. Employed an apprentice without apprenticeship indenture. Effective 10/5/98. Sec. 454.15(2)(i), Stats. BC 2.04 Case #LS981005114BAC

GAVINOZAVALA

\$100.00 FORFEITURE MILWAUKEE WI Provided services without holding apprentice permit. Effective

8/3/98. Sec. 454.04(1)(a), Stats. Case # LS98080314BAC.

LAN MY THI LEE

OSHKOSH WI \$100.00FORFEITURE Provided manicuring services without holding a valid and current license. Effective 12/7/98. Sec. 454.04(1)(d), Stats.

Case #LS9812074BAC

NORA J. EAGAN, PRACTITIONER

KIEL WI \$100.00 FORFEITURE Rented a booth without establishment license. Effective 8/3/98. Sec. 454.15(2)(i), Stats. BC 3.03(5). Case # LS9808034BAC.

ROBERTA R. PARLOW, MANAGER

D/B/A ROBERTA RAE'S

PLYMOUTH WI \$100.00FORFEITURE Rented booth without establishment license. Effective 8/3/98. Sec. 454.15(2)(i), Stats. BC 2.04. Case # LS980803 IBAC.

CORY L. GUY, MANAGER

d/b/a MIRACLES FAMILY HAIR CARE CENTER

\$200.00 FORFEITURE MILWAUKEE WI Employed individuals who did not hold valid licenses. Effective 10/5/98. Sec. 454.15(2)(i), Stats. BC 2.04 Case #LS9810057BAC

ELLA LOIS SMITH, MANAGER d/b/a IMAGE IN THE MIRROR

MILWAUKEE WI \$300.00 FORFEITURE Employed individuals who did not hold valid and current apprentice permits. Failed to provide topical disinfectant and failed to provide disposable gloves. Effective 10/5/98. Sec. 454.15, Stats. BC 2.04(1), 4.04(1)(2) Case #LS98100515BAC

CHERYLE REBHOLZ, OWNER

d/b/a FACES II, LLC

MEQUON WI REPRIMAND/\$200.00 FORFEITURE Operating establishment without a valid license. Establishment operating without a manager. Employed unlicensed manicurist. Effective 10/5/98. Sec. 454.15(2)(i), Stats. BC 2.04, 20.6 and 3.01(2) Case #LS98100512BAC

JIMMIE BRADLEY, MANAGER FACE TO FACE BARBER SHOP

\$800.00 FORFEITURE MILWAUKEE WI Employed individuals who did not hold valid and current licenses. Effective 8/3/98. Sec. 454.15(2)(i), Stats. BC 2.04 and 2.07. Case # LS9808031BAC

JOHN GLADNEY, OWNER D/B/A JG'S BEAUTY CHATEAU

MILWAUKEE WI \$100.00 FORFEITURE Employed an individual who did not hold a valid and current license. Effective 8/3/98. Sec. 454.15(2)(i), Stats. BC 2.04. Case # LS9808037BAC

GLORIA J. GIBSON, MANAGER

JGS BEAUTY CHATEAU

MILWAUKEE WI \$100.00 FORFEITURE Employed an individual who did not hold a valid and current license. Effective 8/3/98. Sec. 454.15(2)(i), Stats. BC 2.04. Case # LS9808036BAC

ROSARIO AZZOLINA, MANAGER/OWNER d/b/a SOUTHWEST BARBERING CENTER

\$300.00 FORFEITURE MILWAUKEE WI Individuals rented chairs without holding establishment licenses. Effective 10/5/98. Sec. 454.15, Stats. BC 2.04, 2.06, 3.03(5) Case #LS9810053BAC

JAMES C. EDGERTON, MANAGER

d/b/a SOUTHWEST BARBERING CENTER

MILWAUKEE WI \$100.00 FORFEITURE Rented a chair without holding an establishment license. Effective 10/5/98. Sec. 454.08(2)(a), Stats. BC 2.04, 2.06, 3.03(5) Case #LS9810054BAC

FRANK G. AZZOLINA. MANAGER

d/b/a SOUTHWEST BARBERING CENTER

\$100.00 FORFEITURE MILWAUKEE WI Rented a chair without holding an establishment license. Effective 10/5/98. Sec. 454.08(2)(a), Stats. BC 2.04, 2.06, 303(5) Case #LS9810052BAC

DELBERT TATUM

MILWAUKEE WI \$100.00 FORFEITURE Provided barbering and cosmetology services when not holding a current license. Effective 12/7/98. Sec. 454.04(1)(a), Stats. BC 2.04(1) Case #LS9812078BAC

MILA ROSEN, LILYA BATUNER & IRENE SKYLAR, **OWNERS**

d/b/a VALENTINE SALON

FOX POINT WI \$500.00 FORFEITURE Employed an individual to provide aesthetic services who did not hold a valid or current license. Effective 12/7/98. Sec. 454.15(2)(i), Stats. BC 2.04(1). Case #LS9812071BAC

LAURA KLOPFENSTEIN

d/b/a HAIR BE GONE

MILWAUKEE WI \$500.00 FORFEITURE Rented a chair to provide electrology services when not holding an establishment license. Effective 10/5/98. Sec. 454.08(2)(a), Stats. BC 2.04, 2.06, 3.03(5) Case #LS9810058BAC

MARY L. LIBERT, MANAGER d/b/a TAKE IT FROM THE TOP

MILWAUKEE WI \$1.500.00 FORFEITURE Operating unlicensed establishment. Individuals rented chairs without holding establishment licenses. Effective 10/5/98. Sec. 454.15, Stats. BC 2.04, 2.06, 3.03(5) Case #LS98100511BAC

DAVID M. LEES, MANAGER

d/b/a DAVID'S SALON

MILWAUKEE WI \$500.00 FORFEITURE Rented a chair without an establishment license. Effective 10/5/98. Sec. 454.08(2)(a), Stats. BC 2.04 and 3.03(5). Case #LS98 10051 OBAC

KATHERINE M. EVERT, MANAGER

d/b/a KATHY'S SALON

\$500.00 FORFEITURE MILWAUKEE WI Rented a chair without an establishment license. Effective 10/5/98. Sec. 454.08(2)(a), Stats. BC 2.04, 3.03(5) Case #LS9810055BAC

JANET L. GRAY, OWNER

d/b/a TIPS & TOES

WAUWATOSA, WI \$100.00 FORFEITURE Operating manicuring establishment without a current establishment license. Effective 10/5/98. Sec. 454.08(1)(b) and 454.15(2)(I), Stats. BC 3.01 Case #LS9810056BAC

SHARON K. HANSEN

d/b/a SHAIRONS

OSHKOSH WI \$100.00 FORFEITURE Operated an unlicensed establishment. Effective 12/7/98. Secs. 454.08(1)(b), 454.15(2)(i), Stats. BC 2.03(6), 2.04. Case #LS9812073BAC

TERRENCE S. BYRD

d/b/a FASHION IMPRESSIONS

\$750.00 FORFEITURE MILWAUKEE WI Employed individual to provide barbering and cosmetology services without a valid license. Operated establishment without a manager. Effective 10/5/98. Sec. 454.15(2)(i), Stats.

BC 2.04, 2.06 3.01(2) Case #LS9807071BAC

CHREESHA THI HONG NGUYEN WEST ALLIS WI

\$100.00 FORFEITURE

Employed to provide manicuring services without holding a valid and current license. Effective 12/7/98. Sec. 454.04(1)(d), Stats. Case #LS9812075BAC

HAIN. CAO

d/b/a NAIL ARTS

WAUWATOSA WI

\$100.00 FORFEITURE

Employed an individual to provide manicuring services when not licensed. Effective 12/7/98. Sec. 454.15(2)(i), Stats. BC 2.04(1) Case #LS9812071BAC

LONG B. DAM, MANICURIST, OWNER/MANAGER

D/B/A CAPITOL NAIL

MILWAUKEE WI

\$200.00 FORFEITURE

Providing services without holding a license. Capitol Nail did not possess a disinfectant registered with the U.S. environmental protection agency as a tuberculocidal agent. Effective 8/3/98. Secs. 454.04(1)(d) and 454.15(2)(i), Stats. BC 2.04 and 4.10. Case # LS9808033BAC

SAM KOROGHLANIAN, OWNER/ MANAGER d/b/a KOROGHLANIAN BARBER SHOP

RACINE WI

\$200.00 FORFEITURE

Floor coverings not kept in a clean and safe condition. Establishment not maintained in an orderly and sanitary condition. Effective 10/5/98. Sec. 454.15, Stats. BC 3.01(1)(4) Case #LS9810059BAC

MARY E. BARTOLONE

D/B/A MARY'S HAIR DESIGN

MILWAUKEE WI

\$500.00 FORFEITURE

Operating an unlicensed barbering and cosmetology establishment. Effective 9/30/98. Sec. 454.08(2)(a), Stats. BC 3.01(1) and 3.03(5). Case #LS9809302BAC

DONALD V. TRAN, OWNER

D/B/A BEST NAILS

MADISON WI

\$300.00 FORFEITURE

Did not possess a disinfectant registered with the U.S. Environmental Protection Agency as a tuberculocidal agent. Did not, prior to use, disinfect or sterilize reusable manicure instruments. Effective 12/7/98. Sec. 454.15(2)(i), Stats. BC 4.10. Case #LS9812079BAC

LILLIE M. BROWN, MANAGEWCO-OWNER

A RAY OF LIGHT BARBER N BEAUTY

BELOIT WI \$100.00 FORFEITURE

Employed unlicensed individual. Was not on duty at the establishment to ensure that a licensee maintains visual contact with the practical work of the apprentice. Effective 8/3/98. Sec. 454.15(2)(iI), Stats. BC 2.07(1) and (2)(e). LS9808032BAC

ANGELA EVANS

d/b/a SHEAR DELIGHT

CROSS PLAINS WI ADMIN INJUNCTION

Operated a barbering and cosmetology establishment without an establishment license. Effective 11/17/98. BC 3.01(1), 3.03(5) Case #LS9810062RAL

PAMELA JO BROWN d/b/a ONYX NAIL SALON

WAUWATOSA WI \$200.00 FORFEITURE Operated an unlicensed manicuring establishment. Effective

12/9/98. Sec. 454.08(2)(d), Stats. Case #LS9812091BAC

REGINAL DAVIS

MILWAUKEE WI \$200.00 FORFEITURE

Provided services at an unlicensed barbering and cosmetology establishment without a current license. Effective 12/7/98. Sec. 454.04(1)(a), Stats. BC 2.03(6), 2.04(1)

#LS9812072BAC

JULIE A. ROBERTS

d/b/a SILKEN TREASURES SALON

NEW LONDON WI \$200.00 FORFEITURE Provided barbering and cosmetology services at a salon without a manager. Effective 12/7/98. Secs. 454.08(6), 454.10(3), BC 2.04(1), 2.06(I), (2)(a) 454.15(2)(i), Stats. #LS9812077BAC

ERICKA J. HUBBARD

RACINE WI ADMIN INJUNCTION

Engaged in the practice of barbering and cosmetology without holding a license. Effective 1/4/99. Sec. 454.04(2), Stats. Case #LS9812081RAL

AIMEE TOLEFREE, PRACTITIONER

MILWAUKEE WI \$100.00FORFEITURE

Provided barbering and cosmetology services without a current license. Effective 10/5/98. Sec. 454.04(1)(a), Stats. Case #LS98 100516BAC

BACH PHAN

d/b/a NAIL ARTS

RACINE WI

\$400.00 FORFEITURE

Operated an unlicensed manicuring establishment. Employees not washing hands. No clean towels were available for patrons. No disinfectant was available for manicure instruments. Effective 10/30/98. Sec. 454.08(2)(d), Stats. BC 2.01(1), 3.01(1), 4.02(7). Case #LS9810061RAL

VERLINA "PENNIE" HENDERSON

d/b/a PENNIE'S CUT & DYE

MILWAUKEE WI

ADMIN INJUNCTION

Operated a barbering and cosmetology establishment without an establishment license. Effective 12/15/98. BC 3.01(I), 3.03(5). Case #LS9811061RAL

REGINALD BLAKELY

MILWAUKEE WI ADMIN INJUNCTION

Provided barbering and/or cosmetology services when not licensed. Effective 12/15/98. Sec. 454.04(2), Stats. Case #LS9811063RAL

MICHAEL THOMAS

MILWAUKEE WI ADMIN INJUNCTION

Provided barbering and/or cosmetology services when not licensed. Effective 12/15/98. Sec. 454.04(2), Stats. Case

#LS9811062RAL

Department of Regulation and Licensing Barbering & Cosmetology Exam Board P.O. **Box 8935** Madison, WI 53708-8935

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Telephones

The Division of Business Licensure & Regulation has a menu telephone system which is designed to more efficiently direct the caller to the appropriate section. The telephone number for staff is:

(608) 266-5511

After dialing this number you are asked to press various menu choices. For the following requests, please press numbers as noted:

Applications Forms	Press 11
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FAX: (608) 267-3816

Barbering & Cosmetology Board Meeting Dates

1999: April 5, June 7, August 2, October 4, December 6.

Meetings are held at 1400 E. Washington Ave, Madison, WI and begin at 9:30 a.m.

Visit the Department's Web Site

http://badger.state.wi.us/agencies/drl/ Send comments to dorl@mail.state.wi.us

Digest on the Web

The March 1998 digest is on the Web.

Wisconsin Statutes and Code

Copies **of** the Barbering & Cosmetology Examining Board Statutes and Administrative Code can be ordered through the Board Office. Include your name, address, county and a check payable to the <u>Department of Regulation and Licensing</u>; in the amount of \$5.28. The latest edition is dated June, 1997.

Change of Name or Address?

Please photocopy the mailing label of this digest, make changes in name or address, and return it to the Department. Confirmation of changes are <u>not</u> automatically provided.

WIS. STATS. S. 440.11 ALLOWS FOR A \$50 PENALTY TO BE IMPOSED WHEN CHANGES ARE NOT REPORTED WITHIN 30 DAYS.

Subscription Service

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